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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT SCHOELZEL

Plaintiff,

vs.

ASBESTOS DEFENDANTS, et al.

Defendants.

No. C 08-03113 JSW

DECLARATION OF RICHARD M.
GRANT IN SUPPORT OF MOTION TO
REMAND CASE TO CALIFORNIA
SUPERIOR COURT

Date: November 7, 2008
Time: 9:00 a.m.
Court 2, 17th Floor

I, RICHARD M. GRANT, declare:

1. I am an attorney at law duly licensed to practice before the courts of the State of California and am a member of the firm of Brayton♦Purcell LLP, attorneys of record for plaintiff herein. I have personal knowledge of the following facts and, if called upon to do so, could and would competently testify thereto.

2. Plaintiff, Robert Schoelzel, filed his complaint in the California Superior Court, County of San Francisco on June 30, 2006 and amended the complaint to add Carrier

1 Corporation as a defendant on March 5, 2008. (Exhibit A to Notice of Removal)

2 3. Plaintiff's complaint alleged exposure to asbestos and asbestos containing products
3 and specified both the time periods of exposure as well as the location. Virtually all exposure
4 was alleged to take place at U.S. Naval shipyards and aboard Navy ships while plaintiff was
5 employed by the United States Department of Defense.

6 4. Defendant Carrier Corporation filed its Notice of Removal on June 27, 2008.

7 5. In support of its Notice, defendant filed the Declarations of Roger B. Horne, Jr. and
8 Thomas McCaffery.

9 6. Both declarations refer to various "military specifications", "standards" and
10 "requirements".

11 7. Defendant did not submit any non-testimonial evidence. Defendant provided no
12 military specifications, regulations or other exhibits.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed this
14 28th day of July, 2008 at Novato, California.

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16 _____
17 RICHARD M. GRANT